

**CITY OF RUTLAND, VERMONT**  
**Board of Aldermen Minutes**  
**Monday, August 7, 2017**

Members present, President Davis, Aldermen Notte, Humphrey, Ryan, Etori, Tommola, Mattis, Larson, DePoy and Donahue. Also present, Mayor Allaire, Attorney Bloomer and City Clerk Heck. Alderman Dr. Cook was absent.

**7:00 PM BOARD OF ALDERMEN MEETING**

President Davis called the meeting to order at 7:00 PM.

**MINUTES OF PREVIOUS MEETINGS (July 17 & 18, 2017)**

A motion was made and seconded (Larson, Mattis) approving the minutes of the previous meetings.

**Motion passed.**

**OUTSIDE THE RAIL**

Marion Pratico brought several issues to the Board, from rats at a friend's apartment to issues with the bus not having their bathrooms open until they stop running. Ms. Pratico noted her continued request for information on smoking at hotels and her displeasure with Attorney Bloomer for not being accessible when she comes to City Hall. Attorney Bloomer did respond to Ms. Pratico's smoking issue noting that he had researched the issue and left materials for Ms. Pratico. Ms. Pratico, not happy with the answer placed blame for her complaints on the City and expects the City to solve all of her requests.

**COMMUNICATIONS FROM THE MAYOR**

***Untable Mayoral Appointment; Ed Clark RRA Board***

President Davis noted a motion was needed to untable the Mayoral appointment of Ed Clark to the RRA Board. The request was so moved and seconded (Etori, Larson). **Motion passed.** President Davis then noted a motion to circulate the ballot box would be in order. A motion was made and seconded (Etori, Donahue) to circulate the ballot box. **Motion passed.**

**ADDITIONS AND DELETIONS TO THE AGENDA**

President Davis noted an executive session request from Attorney Bloomer was not necessary and asked for the request to be deleted from the agenda. The request was so moved and seconded (Mattis, DePoy). **Motion passed.** President Davis then noted an item to be added and asked to add the Community Health Center Conduit application. This request was so moved and seconded (Etori, Ryan). **Motion passed.**

**REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS**

***Tara Kelly; Zoning Administrator, Update on Zoning Ordinance Re-Write***

Zoning Administrator Kelly was still busy meeting with her committee and was moved to the end of this report.

***Cindi Wight; Recreation Superintendent, Request for Recreation Committee Referral***

Superintendent Wight was present to introduce her requests and asked for both to be referred to the Recreation Committee. A motion was made and seconded (Notte, Ryan) to refer, gymnasium update and fees for exclusive use of parks and facilities to the recreation committee. **Motion passed.**

***James Rotondo; City Engineer, Recommendation to Approve Water Allocation***

President Davis introduced the request and sought a rules suspension. The request was so moved and seconded (Notte, Ryan). **Motion passed.** A motion was made and seconded (Notte, DePoy) approving the request to increase the water allocation of 756 gallons per day to Kinney Motors, Ltd,

Landowners of the property containing the Kinney Motors auto dealership located at the southwest corner of Randbury Road and South Main Street in the Town of Rutland. **Motion passed.**

***Matt Bloomer; City Attorney, Revisions to Sick Leave, City Personnel Rules & Regulations Document***

Attorney Bloomer introduced the item with a handout noting changes requested and asked the Board to look at the document and then table the issue until the next meeting, allowing the Board to digest and discuss at their next meeting. Attorney Bloomer briefly reviewed the document. A motion was made and seconded (Notte, Larson) to table the update until the Boards next meeting. **Motion passed.**

***Matt Bloomer; City Attorney, Request Executive session regarding confidential attorney-client communications made for the purpose of providing professional legal services to the Board of Aldermen***

This request was deleted at the beginning of the meeting.

***Victor Miglorie; Buried Conduit Application***

Mr. Miglorie was present to present the request, noting a new lit sign was being installed at the Community Health Care on Stratton Road. Mr. Miglorie noted the sign needed direct access to the power pole located in the right away about fourteen feet from the sign and explained how the hook up would work. President Davis noted a letter from Commissioner Wennberg approving the request as all requirements were being met and the Commissioner also noted the exclusion of item number 9 of the 13 listed for meeting requirements for buried conduit. A motion was made and seconded (DePoy, Larson) suspending the rules and taking the issue up that evening. **Motion passed.** President Davis provided the language for the motion as she had all of the information in front of her and stated the Board approves the application of the Rutland Community Health Center at 215 Stratton Road to install a buried electrical power conduit within the City right-of-way, with 12 of the 13 standard conditions waiving number 9. There was some debate. **Motion passed.**

**REPORTS OF STANDING COMMITTEES**

***Alderman DePoy; Recreation Committee***

Alderman DePoy read his committee meeting minutes from July 18, 2016 noting the committee met to discuss a proposal to extend a contract with NBF for the renovation of the bathhouse at White's Playground. A structural engineer inspected the bathhouse and noted minor structural repairs would be needed, but the building was salvageable. An estimated cost of \$200,000 was provided for the rehab of the present bathhouse. A motion from committee approving extended services to NBF for developing plans to renovate the building at a cost of \$4,000 was made and passed and Alderman DePoy so moved that motion to the full Board. Alderman Notte seconded. There was brief debate. **Motion passed.**

***Alderman Etori; Marketing Committee***

Alderman Etori read his committee report from July 20, 2017 noting his committee met to discuss an update on the Regional Marketing Initiative. Alderman Etori noted timelines for the first year and work conducted by Mondo Mediaworks. Various metrics were discussed and lastly the initiatives sustainability. Alderman Etori noted that his report was for information only and the issue will remain in committee.

***Alderman Donahue; Charter & Ordinance***

Alderman Donahue read his committee report from July 31, 2017, noting the committee met to discuss nuisance fowl ordinance. Alderman Donahue noted a complaint from Mr. & Mrs. Fredette, about roosters on 127 Curtis Ave. The discussion revolved around what the City has at present for ordinances and what the City may be able to do. The consensus of the committee were to allow the

Health Inspector to use what was at his disposal before implementing any new ordinances. Alderman Donahue noted that his report was for information only and no action was requested.

### **REPORTS OF SELECT COMMITTEES**

There were no select committee reports.

### **REPORTS OF REPRESENTATIVES**

There were no representative reports.

President Davis noted that Zoning Administrator Kelly was present and asked her to update the Board on the Zoning Ordinance re-write. Administrator Kelly noted the vast project at hand and outlined the process to bring the Zoning Ordinances up to date. Ms. Kelly introduced the team hired to help with this project and Mayor Allaire spoke on the need to have every and anyone who can help with the process to do so. The process will take approximately 9 months and the Board will be kept up to date with the process by Ms. Kelly.

### **PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION**

#### ***SEP Request; 40<sup>th</sup> Edgerton St. Block Party***

President Davis introduced the request. A motion was made and seconded (Notte, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Notte, DePoy) approving the special events permit for the 40<sup>th</sup> annual block party on Edgerton Street, for August 26<sup>th</sup> with a rain date of August 27<sup>th</sup> from noon to dusk. **Motion passed.**

#### ***SEP Request; 2017 Walk to End Alzheimer's, 9-9-2017 9AM to Noon***

President Davis introduced the request. A motion was made and seconded (Notte, Ryan) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Notte, DePoy) approving the special events permit for the 2017 walk to end Alzheimer's on September 9, 2017 from 9AM to noon. **Motion passed.**

#### ***SEP Request; Rutland County Humane Society Coin Drop, 10-7-2017 10 – 2PM***

President Davis introduced the request. A motion was made and seconded (Notte, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** Alderman Notte then noted the request was outside the date range allowed by the Board rules established for coin drops. This brought discussion from other members and the City Clerk. A motion was made and seconded (Notte, DePoy) approving the special events permit for the Rutland County Humane Society Coin Drop, on October 7, 2017 from 10 – 2pm at the designated location, pending the sign off of the City Attorney for proof of insurance. Alderman Larson spoke about the date issue and wants the policy to be updated. **Motion passed.**

A motion was made and seconded (DePoy, Etori) to move into the Board of Control Commissioners. **Motion passed.**

### **BOARD OF CONTROL COMMISSIONERS**

#### ***Hide A Way Tavern; Moving to New Location***

City Clerk Heck noted the request from the owner of the Hide-A-Way Tavern needing a letter from the City allowing him to move to a new location on Center Street. A motion requesting the Clerk to draft a letter approving the move was made and seconded (Notte, Etori). **Motion passed.**

#### ***Hide A Way Tavern; New Outside Consumption Request***

President Davis introduced the request. Alderman Notte asked if this was a request that the Board would authorize the Clerk to sign. President Davis stated it was. Alderman Notte moved to authorize the Clerk to sign the request. Alderman Ryan seconded. **Motion passed.**

#### ***American Legion; Outside Consumption Request***

President Davis introduced the request. A motion was made and seconded (Notte, Etori) authorizing the Clerk to sign. **Motion passed.**

President Davis sought a motion to go out of the Board of Control Commissioners. The request was so moved and seconded (Donahue, Larson). Alderman DePoy noted some hesitation from the Board during the items taken under consideration during the Board of Control Commissioners and addressed the Board. Alderman DePoy noted that when representatives were not present to answer questions, it made the job more difficult and left some people uneasy about taking action. Clerk Heck even addressed the Board noting their support when he has come before the Board, but also noted that he gathers information for the Board to try and make their decisions easier and if the Board needs more information than they should not hesitate to request it or send the request to committee. **Motion passed.**

#### **UNFINISHED BUSINESS**

President Davis noted Commander Matt Prouty was present and sought guidance from the Board on an approved Special Events Permit request for Officer Down 5K. Commander Prouty explained his lack of experience with the event process and noted his venue needed a change of location. After brief discussion with the Board a motion was made and seconded (DePoy, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (DePoy, Etori) approving the request for a Special Events Permit for Officer Down 5K on September 16, 2017 on Washington Street between Wales and Merchants Row. There was some debate. **Motion passed.**

#### **MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS**

There were various updates from the Board, including the Killington Avenue sidewalk project representative appointments for City owned property committee including Brennan Duffy and David Cooper from the RRA and President Davis noted Alderman Notte would be her designee to that committee as well. With no other business to come before the Board a motion to adjourn was made and seconded. **Motion passed.**

Respectfully submitted,

Henry A. Heck  
Rutland City Clerk